



12-31-02

PTO/SB/30 (10-01)

App. used for use through 10/31/02. OMB 0651-0031

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#14  
7/14/02

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/418,237
Filing Date	October 14, 1999
First Named Inventor	MacKay et. al.
Group Art Unit	1734
Examiner Name	Sue A. Purvis
Attorney Docket Number	3996.004/DHE

This is a request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-0782/EXXO/004/DHE
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Any deficiency in the fees
- b. ☒ Checks (2) in the total amount of \$ 934.00 are enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Douglas H. Elliott	Registration No. (Attorney/Agent)	32,982
Signature		Date	December 30, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231 on December 30, 2002.

Name (Print/Type)	Douglas H. Elliott	Date	December 30, 2002
Signature			

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01 FC:1801 740.00 OP  
02 FC:1201 84.00 OP

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PATENT  
DOCKET NO. 3996.004/DHE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
John H. MacKay, et al. )

Serial No.: 09/418,237 )

Filed: October 14, 1999 )

Examiner: Sue A. Purvis

Group Art Unit: 1734

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JAN 07 2003  
**TC 1700**

For: POLYOLEFIN MICROPOROUS BREATHABLE FILM HAVING IMPROVED  
TEAR, IMPACT STRENGTH, AND SOFTNESS AND METHOD OF MAKING  
SAME

BOX RCE  
Commissioner for Patents  
Washington, D.C. 20231

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Type or Print Name: Douglas H. Elliott

Signature: 

Dear Sir:

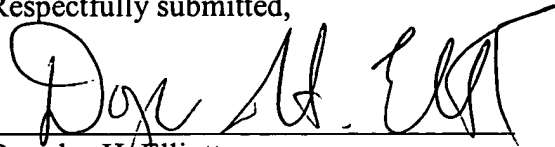
**TRANSMITTAL LETTER**

Transmitted herewith in the above-identified application are:

- 1) Request for Continuing Examination (RCE) - 1 page;
- 2) Checks in the amount of \$824 and \$110 for RCE fees, independent claim fee and one-month extension of time respectively;
- 3) Submission Required under 37 C.F.R. § 1.114 for RCE Filing - 14 pages;
- 4) Petition for Extension of Time; and,
- 5) Acknowledgment Postcards.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0782/EXXO/004/DHE.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas H. Elliott", written over a horizontal line.

Douglas H. Elliott

Reg. No. 32,982

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